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July 28, 2020

Via ECF

Honorable Brian M. Cogan, USDJ
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York

Re: Pre-Motion Conference Letter
Matter: Byron Smith v. 10XBETA, LLC
Case No.: 1:20-cv-02817-BMC

Dear Judge Cogan:

This firm represents Defendant 10XBETA, LLC in the above-referenced action.

Please accept this Consented Letter Motion in lieu of a more formal motion.

Please allow the undersigned attorneys for the Defendant, and the attorney for Plaintiff, Richard Liebowitz, to appear telephonically at the time of the July 30, 2020, 12 pm, pre-motion conference. Both Plaintiff's and Defendant's attorneys have mutually agreed to appear telephonically in this matter on that date and time.

We thank Your Honor for your time and consideration.

Respectfully submitted,

/s/David D. Postolski
David D. Postolski, Esq.
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cc: 10XBETA, LLC (via email)
Richard Liebowitz, Esq. (via ECF)

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by ECF at the electronic mail addresses of all of the parties involved which are registered with the ECF on July 28, 2020 to Plaintiff's counsel who has the following mailing address and email address: Richard P. Liebowitz, Esq., 11 Sunrise Plaza, Suite 305, Valley Stream, NY 11580, Tel: (516) 233-1660, RL@LiebowitzLawFirm.com.

/s/David D. Postolski/

By: David D. Postolski